



## New Zealand Telecommunications Forum

# Code for Blocking Block Listed Mobile Handsets between Mobile Operators (“IMEI Block Listing Code”)

<b>Code Status:</b>	<b>Endorsed</b>
<b>Code Classification:</b>	Voluntary Code
<b>Date:</b>	15 <sup>th</sup> June 2023
<b>Review Status:</b>	This Code was endorsed in 2019. It was reviewed by the Working Party in June 2023. The next review is due in 2025.

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## Introductory Statement

The New Zealand Telecommunications Forum Incorporated (TCF) Code for Blocking Block Listed Mobile Handsets between Mobile Operators (“IMEI Block Listing Code”) is a code that:

1. Allows customers to report lost or stolen mobile Handsets to their mobile Provider, so that the Handset may be blocked and cannot be used on any mobile network, nationwide; and,
2. Provides a facility for consumers to check whether a device is on the Block List.

### Background

Mobile Handset theft is an increasingly common problem in New Zealand. Each Operator in New Zealand has now individually invested in an Equipment Identity Register (EIR) for their cellular network which provides the capability to block or “Block List” Handsets from using their network. Handset Block Listing occurs by reference to the 15-digit identifier, the International Mobile Equipment Identity (IMEI), attached to each device worldwide. This identifier is administered by the GSM Association for Handset manufacturers and operators globally. The IMEI is normally imprinted physically and logically within a Handset. Operators can use their EIR to decide whether an IMEI should attach to their network or not.

Operators Block List Handsets on their networks for a variety of reasons including:

1. to assist subscribers who have had their Handset lost or stolen, or
2. to prevent fraudulently acquired devices, or devices stolen from an Operator, from attaching to their network.

Prior to the Code, Block Listed Handset IMEIs were shared on an ad-hoc basis between Operators with no systematic coordination for New Zealand Operator-wide Block Listing. The limited sharing of IMEIs contributed to opportunistic behaviour where Handsets Block Listed by one Operator were then able to be used on the network of another Operator.

An industry Block Listing database has been successfully adopted in other markets such as Australia and the United Kingdom through the cooperation of Operators.

Industry Block Listing will deter the incentives for Handset criminal activity in New Zealand.

### About the TCF

Established in 2002, the "New Zealand Telecommunications Forum" (TCF) is a registered incorporated society.

The TCF’s objective is to actively foster cooperation among the telecommunications industry’s participants, to enable the efficient provision of regulated and non-regulated telecommunications services. Our goal is to promote competition for the long-term benefit of end-users of Telecommunications Services in New Zealand.

## **Code Revision**

This is the second iteration of this Code. This version has minor amendments including specifying current reporting requirements, clarifying the provision of the IMEI database, inclusion of a customer/consumer objectives focused angle and changing the name of this Code from “Blacklist/ing” to “Block List/ing”

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## A. PURPOSE

1. The purpose of this Code is to establish coordinated sharing of IMEIs between mobile networks in New Zealand to discourage the theft and fraudulent acquisition of mobile Handsets, and to disrupt the operation of illegal markets dependent on such activity.

## B. APPLICATION

2. This Code applies to signatories to this Code.

## C. IMPLEMENTATION

3. This Code was approved by the TCF Board on 15<sup>th</sup> June 2023.
4. This Code will take effect on 15<sup>th</sup> September 2023.

## D. DEFINED TERMS

In this Code, unless the context otherwise requires:

<b>Act</b>	Means the Telecommunications Act 2001.
<b>Agent</b>	Refers to an entity or Person with the authority to sell Handsets and Telecommunications Services on behalf of an Operator
<b>Agreed Appointment</b>	Means the date and time window e.g. am or pm accepted by the Customer or their agent and by the RSP via the Network Operator's ordering and booking system.
<b>Bilateral Agreement</b>	Means an agreement between a Party who is obliged to comply with the terms of this Code and another party (who might or might not also be a party to this Code).
<b>Billing Relationship</b>	Means a relationship where the Service Provider has a bona fide contractual right to charge the Customer for any chargeable activity relating to the provision of the relevant Telecommunications Services.
<b>Block List</b>	Refers to an IMEI that has been blocked by an Operator in their EIR and uploaded to the IMEI Database for blocking in other EIRs, in accordance with agreed Block Listing policies
<b>Business Day</b>	Means a day on which registered banks are open for normal banking business, excluding Saturdays, Sundays and nation-wide public holidays. Regional public holidays are considered to be Business Days.
<b>CCF or Code Compliance Framework</b>	Means the overarching compliance and enforcement regime for TCF codes as set out in the TCF Code Compliance Framework

<b>Code</b>	Means this IMEI Block Listing Code
<b>Code Signatory</b>	Means a person who agrees to comply with a TCF Code and be legally bound by its requirements, which includes compliance with the Code Compliance Framework.
<b>Complaint</b>	Means the same as defined in the TCF Customer Care Code.
<b>Compliance Officer</b>	Means the Person appointed by the TCF as the Compliance Officer under the Code Compliance Framework.
<b>Consumer</b>	Means an actual or potential end-user of the relevant Telecommunications Service.
<b>Customer</b>	Means a person who has a bona fide Billing Relationship with an RSP in respect of the relevant Telecommunications Service. The Customer may also be referred to as an End User.
<b>Customer Service</b>	refers to all Subscriber facing staff that have the authority to Block List a Handset on behalf of a Subscriber
<b>Duplicate</b>	Means an IMEI that an Operator has recorded as being in use in two or more different locations at the same time.
<b>Equipment Identity Register (EIR)</b>	Means the register required by Operators to enforce the Block Listing of IMEIs on their cellular network
<b>Fraud or Fraudulent</b>	Has the meaning set out in clause 13.7
<b>GSM Association (GSMA)</b>	Means the international association of GSM mobile operators
<b>Handset(s)</b>	Means a device used for cellular mobile communications, this includes devices that have a data only capability
<b>Insurance Company</b>	Means an insurer with a ‘handset replacement policy’ that has a formal relationship with an Operator for the Block Listing of Handsets under those policies.
<b>International Mobile Equipment Identity (IMEI)</b>	Means an international 15 digit identifier applied physically and logically within cellular Handsets, made up of a unique 14 digit identifying sequence and a single 15th “check” digit.
<b>IMEI Database</b>	Means the database maintained by the GSM Association to facilitate the sharing of lost, stolen and fraudulently obtained IMEIs between Operators
<b>IMEI Data</b>	Means the first 14 digits of an IMEI and the “reason codes” that are exchanged between Operators for Block Listing and Un-Block Listing

<b>IMSI</b>	Means an International Mobile Subscriber Identity, used by Operators to identify a Subscriber on their network.
<b>Mobile Virtual Network Operator (MVNO)</b>	Means an operator selling cellular mobile telephony and communication services on a Network Operator
<b>MSISDN</b>	Means a Mobile Subscriber Integrated Services Digital Network number, used by an Operator, to identify a Subscriber on their Network.
<b>Network Operator</b>	Means the same as defined in section 5 of the Telecommunications Act 2001 and may also be referred as a Local Fibre Company.
<b>New Zealand Telecommunications Forum</b>	Means the New Zealand Telecommunication Forum Incorporated Society registered in New Zealand. Means the same as defined in section 5 of the Telecommunications Act 2001 and may also be referred as a Local Fibre Company.
<b>Non-consumer subscriber</b>	Means either a corporate and government subscriber or a business subscriber of an Operator which has multiple connections associated with their Operator
<b>Operator</b>	Means a party operating a radio-frequency cellular network in New Zealand who has signed up to this Code
<b>Party New Zealand Telecommunications Forum or TCF</b>	Means a signatory to this Code. Means the New Zealand Telecommunication Forum Incorporated Society registered in New Zealand.
<b>Person Party</b>	Means a legal Person and includes a company and any other legal entity. Means a signatory to this Code.
<b>Reason Codes</b>	Means those numeric codes set out in Appendix A of this Code used to identify the reasons why an IMEI has been added or removed from the IMEI Database.
<b>Retail Service Provider or RSP Person</b>	Means any person providing a retail Telecommunication Service to a Customer and who has the direct Billing Relationship with the Customer for that service. An RSP may also be referred to as an Access Seeker or a Service Provider, both terms are defined in section 5 of the Telecommunications Act 2001. Means a legal Person and includes a company and any other legal entity.
<b>Self-Regulated Code, Retail Service Provider or RSP</b>	As described in the TCF Rules section 20, the obligations set under this Code are either voluntary or obligatory as approved by the TCF Board and requires signatories to complete a self-certification

	process which is monitored through the TCF Compliance Framework. Means any person providing a retail Telecommunication Service to a Customer and who has the direct Billing Relationship with the Customer for that service. An RSP may also be referred to as an Access Seeker or a Service Provider, both terms are defined in section 5 of the Telecommunications Act 2001.
<b>Subscriber</b>	Means the account-holder or a person with authority on the account-holder's behalf, or, in the case of "prepay" services, the customer
<b>TCF</b>	Means the New Zealand Telecommunications Forum Incorporated
<b>Un-Block Listing</b>	Means the unblocking of a Handset IMEI by an Operator allowing the Handset to be used on its network, and uploaded the on IMEI Database so it can be used on other Operator's networks.
<b>Voluntary Code</b>	Means a Self-Regulated Code which TCF Members and other Parties may choose to sign up to. Compliance to the Code is a self-certification process and monitored through the TCF Compliance Framework.

## E. OBJECTIVES

- 5.1. Allow customers to report lost or stolen mobile Handsets to their mobile Provider so that the Handset may be blocked and cannot be used on any mobile network, nationwide.
- 5.2. Provide a facility for consumers to check whether a device is on the Block List.
- 5.3. Facilitate the timely sharing of agreed Block Listed/Un-Block Listed Handsets between New Zealand Operators.
- 5.4. Specify a common information technology framework that Operators will use to share Block Listed and Un-Block Listed IMEIs.
- 5.5. Govern the terms when Block Listed and Un-Block Listed IMEIs are shared. This common policy framework is crucial to providing a consistent message to industry and end-users.

## F. SCOPE

- 6.1. This Code sets out the terms for sharing Block Listed IMEIs between Operators in New Zealand, that have been blocked by one Operator for a matter prescribed within the Code.



- 6.2. This Code also covers the sharing of Un-Block Listed IMEIs.
- 6.3. Un-Block Listing is an important part of the customer experience enabling a customer to reuse their Handset and legitimately move their service between Operators and to and from MVNOs.

## G. EXCLUSIONS FROM SCOPE

- 7. This Code does not apply to:
  - 7.1. MVNOs unless an Operator grants an MVNO access to their EIR to Block List and Un-Block List IMEIs. The TCF may agree to extend the operation of the scheme to all MVNOs in the future and will consult on the necessary extensions and amendments to this Code at that time.
  - 7.2. Other “Block Listing” services Operators may offer for their customers relating to their MSISDN or IMSI etc.
  - 7.3. Any IMEI Block Listed by international operators, until it has been agreed by the Operators to extend the scheme to international IMEIs.

## H. PRINCIPLES

- 8.1. This Code will facilitate ongoing coordinated sharing of Block Listed IMEIs between New Zealand Operators and will be used to facilitate any new Operator into the sharing arrangement.
- 8.2. IMEI sharing will only occur in accordance with the agreed Handset Block Listing policies, set out in this Code.
- 8.3. Operators shall not Block List or un-Block List an IMEI in order to gain any commercial advantage or inflict any damage on any other Operator or party. Block Listing cannot be used to withhold service or resolve commercial disputes (including bad debt scenarios). Operators cannot use any contact made by a former customer requesting to Un-Block List an IMEI for any “win back” or sales activity.
- 8.4. Only:
  - 8.4.1 a Subscriber;
  - 8.4.2 an authorised representative of a Non-consumer Subscriber;
  - 8.4.3 an Operator itself in relation to an Operator owned Handset(s) or Fraudulent IMEIs; or,
  - 8.4.4 an Insurance Company on behalf of a Subscribercan request that an IMEI be Block Listed. Other third parties, including law enforcement, are not able to request that an IMEI be Block Listed, unless Block

Listing is required by any warrant, court order or by any law.

- 8.5. Only the Operator who has either a relationship with:
  - 8.5.1 The Subscriber, or Non-consumer Subscriber, whose Handset has been lost or stolen; or,
  - 8.5.2 Directly with the Handset (IMEI) in question,is permitted to undertake Block Listing. Updating new entries for Block Listing and Un-Block Listing will occur within the agreed timeframes set out in this Code.
- 8.6. If an MVNO Block Lists or Un-Block Lists an IMEI directly through an Operator's EIR, that MVNO will be responsible for ensuring that it adheres to the terms of this Code. Operators must ensure that any MVNO of theirs that they permit to access their EIR is aware of and agrees to abide by the terms of this Code. Where an Operator Block Lists an IMEI on behalf of an MVNO, the Operator will be responsible for ensuring that the MVNO has complied with any relevant requirements of this Code.
- 8.7. In the future, Operators may, in consultation with other relevant parties, agree to leverage the capability of the IMEI Database to expand their IMEI Block Listing to include the blocking of IMEIs from other jurisdictions that also use the GSMA database capability. Any agreement will be reflected in an amendment to this Code.

## **I. GSM ASSOCIATION DATABASE AND EXPECTATIONS**

- 10.1. Code signatories agree to use the IMEI Database operated and maintained by the GSMA for facilitating the exchange of agreed categories of Block Listed IMEIs, and the Un-Block Listing of such IMEIs. The IMEI Database will be accessible to Operators through arrangements made directly with the GSMA.
- 10.2. Each Operator will abide by the GSMA Guidelines for using its IMEI Database.
- 10.3. Operators recognise that nothing in this Code shall affect the authority of the GSMA to manage the IMEI Database in accordance with its own systems, policies and processes, including an ability to suspend or alter access to the IMEI Database from time to time.
- 10.4. Each Operator must be a GSMA member to access the IMEI Database, which is provided free of charge to GSMA members.
- 10.5. Operators recognise that the GSMA will maintain appropriate and sufficient technical and organisational measures to protect Operator IMEI data against accidental or unlawful destruction, loss, damage, alteration, or unauthorised disclosure or access, in particular where the processing involves the transmission of data over a network and against all other unlawful forms of processing. The

GSMA will at all times hold and process Operator IMEI data only for the purpose of operating the IMEI Database.

## **J. OPERATORS EIR IMPLEMENTATION**

- 11.1. Operators will operate their own EIR enabling them to block IMEIs in their network.
- 11.2. Operators will add Block Listed IMEIs downloaded from the IMEI Database to their own EIRs unless it is reasonably believes that:
  - 11.2.1 an error has been made;
  - 11.2.2 the IMEI was entered with malicious intent; or,
  - 11.2.3 duplication is suspected.
- 11.3. Operators will add Block Listed IMEIs on their EIR within two working days of being notified of the IMEIs that have been placed on the IMEI Database, in order to minimise risk of theft and resale of the devices
- 11.4. Operators will remove IMEIs from their EIR Block Lists within one working day of being notified by the IMEI Database of an IMEI's removal from the IMEI Database
- 11.5. Operators may maintain historical lists of IMEIs that they know should remain active on their network, and may use these lists to avoid Block Listing where an IMEI is known to be a Duplicate IMEI. Operators may upload these "greylists" to the GSMA database if they wish for other parties to retrieve them as required, or the lists may be shared directly by agreement with other parties.

## **K. MANAGING THE IMEI BLOCK LIST – BLOCK LISTING AND UN-BLOCK LISTING**

### **Handset Block Listing**

- 12.1. The Operator will ensure that it has appropriate policies in place to ensure that only authorised users can add or remove items from the IMEI Database. The Operator must be able to show that it has the appropriate aforementioned processes in place if required to resolve a Compliance Issue.
- 12.2. A Subscriber is deemed to own a Handset (Handset Owner) if:
  - 12.2.1 they can show that they lawfully obtained the Handset (whether from an Operator or another person); or
  - 12.2.2 the Operator and/or the Subscriber can reasonably show that they had control and/or possession of the Handset prior to it being lost or stolen; or,
  - 12.2.3 The Operator can check and verify that the IMEI has been used by that Subscriber.

- 12.3. Notwithstanding clause 12.2.1, if a person purchases a Handset from another person other than an Operator (particularly a second hand handset) it is incumbent on that person to make all possible inquiries to ensure that the Handset has not been lost, stolen or fraudulently acquired. Acquiring a lost, stolen or fraudulent Handset through a lawful transaction will not be sufficient evidence for the person to be deemed a Subscriber for the purposes of this Code.
- 12.4. If an Operator is unable to verify that an IMEI has been used by the Subscriber then the Operator must decline to Block List that IMEI.
- 12.5. An Operator owns a Handset when the Handset has been stolen from the Operator or from an Agent of the Operator, or when the Handset was acquired on Fraudulent terms from the Operator or from an Agent of the Operator.

#### **What Should be Block Listed**

- 12.6. Only those IMEIs identified as lost or stolen by a Subscriber (including through an Insurance Company), or identified directly by the Operator as fraudulent under clause 13.7, shall be added to the IMEI Database.
- 12.7. Due to the risks caused by historic data, IMEIs Block Listed by an Operator prior to Commencement Date can continue to be Block Listed on that Operator's own network but cannot be added to the IMEI Database.
- 12.8. The Operator must only add the IMEI Data and such other data required by the GSMA file formatting requirements, using a prescribed Reason Code set out in Appendix A, to the IMEI Database. Identifiable personal data related to Subscribers shall not be supplied to the IMEI Database or exchanged by the Operators.
- 12.9. If an Insurance Company requests an IMEI be Block Listed , the Operator will ensure that the relevant Reason Code is added to ensure the record also notes the action was undertaken at the insurer's request.
- 12.10. The Operator must ensure that it has processes in place to ensure the integrity of the information that is to be inputted to the IMEI Database and Operators should always check the accuracy of the information supplied by their Subscribers prior to any posting.
- 12.11. The decision to Block List and/or Un-Block List a device shall not be made in order to gain commercial advantage or inflict damage to any other Operator or party and should not be used to withhold service or to resolve commercial disputes.
- 12.12. The Operator must update the IMEI Data as soon as practicable if they discover that the Reason Code associated with the Block Listed IMEI changes, is incorrect or is misleading.

## IMEI Sharing

- 12.13. Each Operator must build and maintain its file-transfer process to the GSMA IMEI Database in accordance with the GSMA's SG.18 IMEI Database File Format Specification (record format 2), unless otherwise agreed between Operators and the GSMA. Each Operator must comply with any relevant changes prescribed by the GSMA for the file-transfer process.
- 12.14. Each Code signatory will agree to exchange Block Listed and Un-Block Listed IMEIs in accordance with the policies in this Code on at least a business daily basis. As far as it is possible, Block List entries shall be submitted to the IMEI Database on a business daily basis between 22:00 and 00:00 and updated lists from other Operators will be downloaded as soon as practicable thereafter, usually around 04:00 the next business day.

## L. HANDSET BLOCK LISTING AND UN-BLOCK LISTING POLICIES

### Subscriber Originated Handset Block Listing: lost and/or stolen Handsets

- 13.1. Subscriber initiated Block Listing for lost or stolen Handsets can only be initiated by the Handset owner as defined in clause 13.6
- 13.2. For Non-consumer subscribers, a designated user of the Handset or a duly authorised representative of the Non-consumer subscriber may request a subscriber Block Listing for a lost or stolen Handset.
- 13.3. Before initiating any action to Block List a subscriber originated lost or stolen Handset, the Operator must verify the identity of the Subscriber in accordance with their standard authorisation and security processes. Where an Insurance Company requests the Block Listing, the Operator will be responsible for ensuring that those entities undertake the necessary verification of the Subscriber.
- 13.4. Operators must also record sufficient alternative contact information for Subscribers initiating a Handset Block Listing.
- 13.5. The TCF may, in consultation with Operators, implement additional policies and guidelines as required from time to time regarding any timeframes or "long stop" period in which Subscribers can initiate Block Listing with an Operator for lost/stolen Handsets. Operators will be required to adhere to any such policies as if they formed part of this Code.

### Operator Originated Handset Block Listing: Fraud, lost or stolen

- 13.6. Operator originated Handset Block Listing must only occur for:
  - 13.6.1 Handsets stolen from an Operator or their Agent. In this case, the "lost/stolen" Reason Code can be used; or,
  - 13.6.2 Fraudulent activity perpetrated by a Subscriber, or someone purporting

to be a current or potential Subscriber, on the Operator's network. Where it is deemed that Fraud or Fraudulent activity has occurred the Operator should use the "Fraud" Reason Code.

- 13.7. "Fraud" or "Fraudulent" activity is activity undertaken in apparent contravention of section 240 of the Crimes Act 1961, that is, by a person(s) using deception, without claim of right, to obtain ownership, possession or control over any device with an IMEI. Deception means a false representation, whether oral, documentary or by conduct, where the person making the representation intends to deceive any other person and knows that it is false in a material particular.
- 13.8. Before an IMEI can be added to the IMEI Database under the category of Fraud a case must satisfy the burden of proof and the following must apply:
  - 13.8.1 There must be documentary and/or other evidence which prima facie supports the allegation of fraud; and,
  - 13.8.2 There must be sufficient evidence to lay a Police complaint, though Code Signatories may choose when they will or won't lay a Police complaint.
- 13.9. The TCF may, in consultation with Operators, implement additional policies and guidelines as required from time to time regarding any timeframes or "long stop" period in which Operators can initiate Block Listing for Fraudulent activity. Operators will be required to adhere to any such policies as if they formed part of this Code.

### **Un-Block Listing**

- 13.10. Due to how Block Listing operates through the IMEI Database, Un-Block Listing of IMEIs can only be performed by the Operator responsible for the original Block Listing of the Handset. If a Subscriber has since moved to an alternate Service Provider, they must contact the original Block Listing Operator to have the Handset Un-Block Listed.
- 13.11. Operators cannot use any enquiry about an IMEI for any "win back", promotional, marketing or sales related activity.
- 13.12. An IMEI cannot be Un-Block Listed at a Subscriber's request unless the Operator is satisfied that an error was made at the time the IMEI was Block Listed, or if the Reason Code associated with the IMEI was "lost/stolen" and the Operator is reasonably satisfied by the Subscriber that the Handset has now been found or recovered.
- 13.13. Notwithstanding clause 13.12 an Operator will not Un-Block List an IMEI where the IMEI Database records a Reason Code noting the involvement of an Insurance Company, without first obtaining the approval of the relevant Insurance Company. This is to reduce the occurrences of insurance Fraud.

- 13.14. Only the original Subscriber that requested the Block Listing may request that an IMEI be Un-Block Listed. The Operator must take all reasonable steps in accordance with its own security policies to verify the identity of the Subscriber before Un-Block Listing the IMEI.
- 13.15. For a Non-consumer Subscriber, a request for Un-Block Listing may only be initiated by an authorised person on the account.
- 13.16. The Operator will remove the IMEI from its Block List as soon as it is aware that the reason code used to add the IMEI to the Block List is no longer valid. The Operator will submit the IMEI with the corresponding Un-Block List Reason Code set out in Appendix A to the IMEI Database as soon as practicable to complete the Un-Block Listing process.

### **Incorrect Block Listing**

- 13.17. Where an incorrectly Block Listed IMEI results in another Operator's subscriber having their Handset Block Listed, that Operator may Un-Block List their Subscriber's IMEI in their own EIR, provided they have taken reasonable steps to confirm that the Handset had been erroneously Block Listed.
- 13.18. Before an Operator can Un-Block List an IMEI that was incorrectly Block Listed, it must be satisfied the Subscriber's Handset is not the subject of:
  - 13.18.1 a confirmed case of Fraud by another Operator under clause 13.6, which can be corroborated by contacting the relevant Operator; or,
  - 13.18.2 a lost or stolen claim, which can be corroborated by evidence such as (but not limited to):
    - a) The IMSI is in use but the Handset has not changed for a period of at least 3 months and the subscriber and Operator can verify this (including up to the date when the IMEI was Block Listed);
    - b) The 3 month call record for the subscriber does not indicate there has been a change with the MSISDN (including up to the date when the IMEI was Block Listed); or,
    - c) The IMEI belongs to an on-account subscriber and the IMEI that has been recorded with the Operator, or the IMEI belongs to a Non-Consumer Subscriber and their IMEI is recorded with the Operator.
- 13.19. The effected Operator must contact the Operator responsible for the Block Listing of the IMEI to notify of the Block Listing error. The Block Listing Operator should then verify if there was an error involved with the Block Listing
- 13.20. Where both Operators are satisfied the processes in clause 13.18 have been correctly followed they will ensure the IMEI Database reflects the correct status

of the IMEI.

13.21. Operators must keep an auditable list of the IMEIs it has Un-Block Listed.

## **M. IMEI SHARING FILE TRANSFER PROCESSES**

### **Service outages**

- 14.1. An Operator must notify other Operators by email of instances when it has failed to complete its daily file exchange process and cannot rectify it in the following day's file exchange.
- 14.2. If the Operator has not been able to participate in the daily file exchange process for five business days it should cease daily notifications and must notify other Operators that it cannot participate in the daily file exchange process. As part of this notification it must:
  - 14.2.1 Specify the cause for the outage.
  - 14.2.2 The expected time involved with correcting the issues involved with the outage; and,
  - 14.2.3 Whether a manual-work around solution can be implemented during the outage.
- 14.3. The Code signatory must also notify other signatories when its file exchange process has recommenced, and whether its EIR has successfully populated Block Listed and Un-Block Listed IMEIs transferred by other signatories to the GSMA IMEI Database
- 14.4. In the event of any continued difficulty in accessing the IMEI Database, an Operator may transmit its Block List to the other Operators directly by agreement.
- 14.5. If a technical or administrative failure prevents an Operator from Block Listing or Un-Block Listing another Operator/s IMEIs, that Operator must Block List or Un-Block List (as the case may be) the missed IMEIs as soon as possible. In such cases, any 'long stop' period does not apply.

### **Reporting**

- 14.6. Code Signatories may, from time to time, leverage the functionality of the IMEI Database and their own EIR to produce reporting on volume totals of Block Listed and Un-Block Listed IMEIs that will be used by the Operators and the TCF to ensure that the Code is achieving its aims and objectives.
- 14.7. The TCF may, from time to time, produce reports of aggregated totals of Block Listed and Un-Block Listed volumes for public reporting.



## **N. IMEI DATABASE PUBLIC ACCESS**

- 15.1. The TCF will provide a look-up capability through their website to assist with public enquiries; for consumers to check the status of their mobile handset.
- 15.2. TCF administrative access to the look-up facility will provide the identification of the Service Provider who has Block Listed the handset.
- 15.3. Upon request the TCF can facilitate consumer enquiries with their Service Provider.

## **O. TCF CODE COMPLIANCE FRAMEWORK OBLIGATIONS**

- 16.1. The TCF, through its Code Compliance Framework (CCF) has the overall responsibility of ensuring that Code Signatories abide by the obligations set out in this Code.
- 16.2. The TCF CCF applies to the ongoing monitoring and compliance of this Code. By becoming a Code Signatory, Parties agree to comply with and are bound by the terms of the CCF and obligations set out in this Code.
- 16.3. The CCF's Complaints management procedures will apply to any allegations of a breach of this Code.

### **Self-Certification Monitoring and Reporting Requirements**

- 16.4. By signing up to this Code, Code Signatories agree to abide by the terms of the CCF and will cooperate in a full and frank manner with the Compliance Officer at all times, participate in good faith in any investigations they may be involved in and adhere to any sanctions levied against them under the CCF in relation to this Code.
- 16.5. In accordance with the CCF, Code Signatories must file initial and annual self-certification forms with the Compliance Officer to demonstrate their initial and ongoing compliance with this Code.
- 16.6. It is the responsibility of the Parties to this Code to be fully conversant with the latest version of this Code, and to ensure that they are compliant at all times.
- 16.7. Each Code Signatory must keep information they deem necessary to show their compliance with this Code, should it be required.

### **Compliance Issue Management**

- 16.8. The TCF CCF Section I sets out the process for dealing with notice of potential breach by a Code Signatory, investigation, sanctions and appeals process.
- 16.9. Parties who may provide notice of a potential breach of the Code to the TCF Code Compliance Officer is set out in section I clause 28 of the CCF, including TDR who

through their Complaints process may notify the Compliance Officer of a potential Code breach by a Code Signatory.

### **Telecommunications Act 2001**

- 16.10. For the avoidance of doubt, the procedures set out in the CCF are additional to, and not exclusive of, any other rights a Party may have under the Telecommunications Act 2001, at law or in equity and nothing in the CCF will prevent any Party from exercising its rights to raise a dispute directly to the Commerce Commission in accordance with Part 4A of the Telecommunications Act 2001.

### **P. EXPIRY, REVOCATION AND AMENDMENT OF THE CODE**

- 17.1. The expiry, revocation or amendment of this Code will be in accordance with the New Zealand Telecommunications Forum's Operating Procedures Manual 'The Handbook', any TCF Member may put a Project Proposal to the Forum Board (at any time) for the amendment or revocation of the Code.
- 17.2. This code will be reviewed every two years as required under the TCF CCF.

## APPENDIX A. BLOCK LISTING AND UN-BLOCK LISTING REASONS CODES

Operators will only use the following Reason Codes when adding or removing an IMEI to the IMEI Database.

**(NOTE:** the GSMA IMEI Database may use additional Reason Codes not listed here, a full explanation of all Reasons Codes can be found in the GSMA File Specification. Additional Reason Codes may be added to this Appendix from time to time, with the agreement of the Operators and the GSMA.

Operators may use internal reason codes on their own EIRs which are not reflected in this list. (Such codes are not supported by the IMEI Database).

### Block Listing Codes

CODE	REASON	USAGE	COMMENTS
0011	Stolen or Lost	Use when inserting an IMEI on the Block List if the equipment has been identified as stolen or lost.  This is NOT for use with a Duplicated IMEI	Can only be removed with reason code 14 & 22.
0016	Duplicated IMEI	Use when inserting an IMEI on the Block Lists when the IMEI is known to be a Duplicated IMEI	Can only be removed with reason code 20 & 22.
0023	Third party request to add	Used when adding an IMEI to the Block List at the request of a third party, ie an Insurance Company	Can only be removed with reason code 22 & 24.
0026	Fraudulent Use	Used to insert an IMEI on the Block List when Fraud has been found	

### Un-Block Listing Codes

CODE	REASON	USAGE	COMMENTS
0014	Found	Use when removing an IMEI from the Block List if equipment previously designated as stolen/lost and has been found	
0020	Unique IMEI	Use when removing from the Block List when the IMEI had been previously designated as Duplicated IMEI only	

0022	Aged IMEI	Not In Use by Operators at this time. May be used by Operators in the future if required to manually free up capacity on the IMEI Database or within Operator's EIRs.	This code is used for automatic ageing of IMEIs by the system. Can be used to remove IMEIs added to Block Lists with reason code 10, 11, 16, 23 or 25.
0024	Third party request to remove	Used when removing an IMEI from the Block List in response to a third party, ie an Insurance Company's, request	
0027		Used to remove an IMEI from the Block List if Fraud has subsequently be disproved or the matter successfully resolved.	

**Quick Glance Table: Paired Block List/Un-Block List Codes:**

Block List	Un-Block List
11	14, 22
16	20, 22
23	22, 24
26	27